

REMARKS

In the Office Action,¹ the Examiner rejected claims 1-3, 6, 8, 15-19, and 21-24 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0143805 to Hayes et al. ("Hayes") in view of U.S. 6,914,551 to Vidal ("Vidal"); rejected claim 7 under 35 U.S.C. § 103(a) as being unpatentable over Hayes in view of Vidal, and further in view of U.S. Patent Application Publication No. 2003/0237043 to Novak et al. ("Novak"); rejected claims 5 and 9-13 under 35 U.S.C. § 103(a) as being unpatentable over Hayes in view of Vidal, and further in view of Japanese Patent No. JP 09-023487 to Hideyuki ("Hideyuki"); and rejected claim 14 under 35 U.S.C. § 103(a) as being unpatentable over Hayes in view of Vidal, and further in view of U.S. Patent Application Publication No. 2005/0149870 to Van Ee et al. ("Van Ee").

Claims 1-3, 5-19, and 21-24 remain pending and under current examination. Applicant amends claims 1, 7, 14, 18, 19, 21, 23, and 24.

Applicant respectfully requests that the Examiner reconsider and withdraw the rejection of claims 1-3, 6, 8, 15-19, and 21-24 under 35 U.S.C. § 103(a) as being unpatentable over Hayes in view of Vidal. A *prima facie* case of obviousness has not been established at least because the differences between the prior art and Applicant's claims are such that it would not have been obvious for one of ordinary skill in the art at the time of the invention to modify the prior art to arrive at Applicant's claimed invention.

Independent claim 1, for example, recites a control apparatus controlling an information processing apparatus, including "detection means for detecting an

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

information processing apparatus through wireless communication; first display means for displaying, based only on detecting the information processing apparatus, a temporary operation screen for controlling the information processing apparatus prior to and while receiving operation screen information from the information processing apparatus" (emphases added). Neither Hayes nor Vidal, taken individually or in combination, teaches or suggests displaying the claimed "temporary operation screen" prior to and while acquiring operation screen information, as recited by claim 1.

The Examiner relies on Vidal for allegedly disclosing the claimed "temporary operation screen," but asserts that "the claim language does not require that the temporary operation screen is displayed 'while' acquiring operation screen information from the information processing apparatus." Office Action at 3, 21. Applicant amends claim 1 to require "displaying . . . a temporary operation screen for controlling the information processing apparatus prior to and while receiving operation screen information from the information processing apparatus" (emphasis added). Neither Hayes nor Vidal, taken individually or in combination, teaches or suggests such a "temporary operation screen," as recited in claim 1.

Because neither Hayes nor Vidal, taken individually or in combination, teaches or suggests the claimed "temporary operation screen," no *prima facie* case of obviousness has been established for claim 1. Independent claims 18, 19, 21, 23, and 24, although of different scope than claim 1, patentably distinguish from Hayes and Vidal for at least the same reasons as claim 1. Claims 2, 3, 6, 8, 15-17, and 22 depend either from independent claims 1 or 21 and therefore patentably distinguish from Hayes and Vidal for at least the same reasons as claims 1 or 21. Applicant therefore requests that the

Examiner withdraw the rejection of claims 1-3, 6, 8, 15-19, and 21-24 under 35 U.S.C. § 103(a) as being unpatentable over Hayes in view of Vidal.

Applicant respectfully traverses the rejection of claim 7 under 35 U.S.C. § 103(a) as being unpatentable over Hayes in view of Vidal, and further in view of Novak. Independent claim 7 recites a control apparatus including “intensity detection means for detecting intensities of radio waves emitted from the plurality of information processing apparatuses, wherein the display means determines, based on the intensities, whether the control apparatus is out of a communication coverage with the information processing apparatuses, initiates a timer when the intensities fall below a predetermined threshold, counts an elapsed time using the timer during which the intensities remain below the predetermined threshold, and thereafter increases the transparency of the corresponding operation screen gradually at predetermined times when the control apparatus is out of the communication coverage, the communication coverage including a defined vicinity to the control apparatus” (emphases added). None of Hayes, Vidal, and Novak, taken individually or in combination, teaches or suggests this combination of elements.

Because none of Hayes, Vidal, and Novak, taken individually or in combination, teaches or suggests the claimed “display means,” no *prima facie* case of obviousness has been established for claim 7. Applicant therefore requests that the Examiner withdraw the rejection of claim 7 under 35 U.S.C. § 103(a).

Applicant respectfully traverses the Examiner’s rejection of claims 5 and 9-13 under 35 U.S.C. § 103(a) as being unpatentable over Hayes in view of Vidal, and further in view of Hideyuki. Claims 5 and 9-13 depend from claim 1 and therefore include all of

the elements recited therein. Hideyuki fails to cure the deficiencies of Hayes and Vidal discussed above, nor does the Examiner rely on Hideyuki for such teachings. Accordingly, the rejection of claims 5 and 9-13 is improper for at least the reasons discussed above with respect to claim 1.

Applicant respectfully traverses the Examiner's rejection of claim 14 under 35 U.S.C. § 103(a) as being unpatentable over Hayes in view of Vidal, and further in view of Van Ee. Independent claim 14 recites a control apparatus including "wherein the display means simultaneously displays in two frames the operation screen for the information processing apparatus and the operation screen for the second information processing apparatus, wherein one of the two frames is larger than the other, the larger frame including a most frequently used one of the operation screen for the information processing apparatus and the second information processing apparatus" (emphasis added). The cited references fail to teach or suggest the claimed "display means," as recited by claim 14.

The Examiner alleges that Hayes' discloses "Each device is displayed in the large frame '24' of Figure 1." Office Action at 20. However, Hayes simply discloses a single operation screen for one device with a listing of other devices (TV, CBL, VCR, etc.) Hayes, Fig. 1. Hayes does not teach or suggest "simultaneously display[ing] in two frames the operation screen for the information processing apparatus and the operation screen for the second information processing apparatus." And, Hayes fails to teach or suggest that "one of the two frames is larger than the other, the larger frame including a most frequently used one of the" operation screens, as recited by claim 14. Vidal and Van Ee, whether taken individually or in combination, fail to cure the

deficiencies of Hayes, nor does the Examiner rely on Vidal or Van Ee for such teachings.

Accordingly, Applicant requests the Examiner to withdraw the rejection of claim 14 under 35 U.S.C. § 103(a) as being unpatentable over Hayes in view of Vidal, and further in view of Van Ee.

In view of the foregoing, Applicant requests reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

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By: 

Nathan A. Sloan
Reg. No. 56,249
(404) 653-6464